

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAVID ROGERS and OPTION-X, LLC

Plaintiffs,

v.

GENTEX CORPORATION,

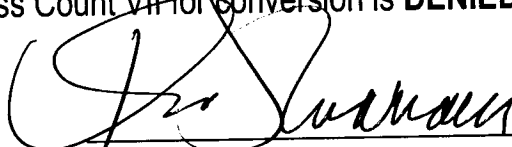
Defendant.

3:16-CV-00137  
(JUDGE MARIANI)

ORDER

AND NOW, THIS 16<sup>th</sup> DAY OF MARCH, 2018, upon consideration of Defendant's Motion to Dismiss Counts IV-VII of the Second Amended Complaint, (Doc. 71), **IT IS HEREBY ORDERED THAT** Defendant's Motion is **GRANTED IN PART AND DENIED IN PART**, to wit:

1. Defendant's Motion to Dismiss Count IV for fraudulent misrepresentation is **GRANTED**.
2. Defendant's Motion to Dismiss Count V for negligent misrepresentation is **GRANTED**.
3. Defendant's Motion to Dismiss Count VI for fraud is **GRANTED**.
4. Defendant's Motion to Dismiss Count VII for conversion is **DENIED**.



Robert D. Mariani  
United States District Judge